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JOURNAL

OFFICE OF LEGISLATIVE COUNSEL

Wednesday - 22 September 1976

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1. [REDACTED] BRIEFING [REDACTED] and I accompanied Evan Hineman, D/OWI, to brief Bill Miller, Staff Director, Senate Select Committee on Intelligence, on the Agency's revised estimate of the BACKFIRE's capability. (See Memorandum for the Record.)

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3. [REDACTED] LIAISON Based on information I received from [REDACTED] OGC, I called Elliott Maxwell, on the staff of the Senate Select Committee on Intelligence, and told him that the judge had discharged the Neumann complaint on the basis that it failed to state a justiciable issue. He said he would pass the information on to Cory Rosen, Administrative Assistant to Senator James Abourezk (D., S. Car.).

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4. [REDACTED] LIAISON Met with Mike Madigan, Minority Counsel, Senate Select Committee on Intelligence, who informed me that Senator Jake Garn's (R., Utah) trip to overseas stations has been postponed until early February, and that Senator Howard Baker (R., Tenn.) might also be interested in going at the same time. Madigan also stated that the FBI was presenting a briefing to the Committee on 29 September on the subject of counterintelligence, and Madigan would like to arrange for a CIA spokesman on counterintelligence at the same briefing. I explained to Madigan our plans for the review of Agency files on [REDACTED] and Madigan said he would need to review certain of the files DDO proposed to withhold.

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5. [REDACTED] ADMINISTRATIVE - DELIVERIES Delivered to Charles Kirbow, Counsel, Senate Select Committee on Intelligence, material for his presentation before the Committee on H.R. 13615, a bill to amend the CIARDS system.

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6. (Internal Use Only - LLM) LIAISON Met with Frank Slatinshek, Chief Counsel, House Armed Services Committee, and in the absence of Marian Czarnecki, spoke with Jack Brady, House International Relations Committee staff, to review the request from Mike Van Dusen, Special Subcommittee on Investigations, House International Relations Committee staff, on behalf of Chairman Lee Hamilton (D., Ind.) for information on the death of Orlando Letelier. Both agreed that we should not be involved in reporting on a domestic situation and from Slatinshek that congressional guidelines provide oversight of Agency activities to the Special Subcommittee.

7. (Internal Use Only - LLM) LEGISLATION At the request of Frank Slatinshek, Chief Counsel, House Armed Services Committee, met with Carl Perrin, on the staff of Representative John Murphy to provide him our language of the amendment and the comment on it concerning S. 3664. I explained it was my understanding that Mr. Murphy was in agreement with the position and would support similar language in a similar bill if the subject became active during the 95th Congress.

8. (Internal Use Only - LLM) LIAISON John Matheney, White House staff, called to confirm the holding in the Marchetti case that publication does not place classified information in the public domain. I read him the pertinent confirming excerpts from the Marchetti and Knoff cases which John Greaney, OGC, provided. We also discussed that this rule does not appear to be followed in Freedom of Information Act cases when publication is made in a congressional committee document.

9. (Internal Use Only - LLM) LIAISON Spoke with Larry Callahan, Legislative Affairs, Department of Justice, concerning the proposed briefing of the Special Subcommittee on Investigations, House International Relations Committee, concerning the death of Orlando Letelier. Callahan said that Justice was not going to appear but that the Department of State was and I explained that our general position was that whatever information we had on the case should be reported to Justice and that we have no authority to get involved in the investigation of a domestic crime.

10. (Unclassified - KSN) LIAISON Bill Miller, Staff Director, Senate Select Committee on Intelligence, met with Jim Taylor, Comptroller.

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